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Amendment**In The United States Patent And Trademark Office**

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In re Pro Se application of: Mario Rabinowitz and David Overhauser

Serial No. : 10/786,665 Filed: Feb. 25, 2004.

Title: Manufacture of and Apparatus for Nearly Frictionless Operation of a
Rotatable Array of Micro-Mirrors in a Solar Concentrator Sheet

Examiner: Tuyen Tra; Art. Unit: 2873; ph. 571, 272-2343

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703,872-9306

Number of pages: 11 pages.

Dated: March 31, 2005.

By Mario Rabinowitz

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By Mario Rabinowitz
Mario Rabinowitz

Amendment

In The United States Patent And Trademark Office

In re Pro Se application of: Mario Rabinowitz and David Overhauser
Serial No. : 10/786,665 Filed: Feb. 25, 2004.
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Rotatable Array of Micro-Mirrors in a Solar Concentrator Sheet
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Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

3/1 2005

Sir:

Applicant is responding to the Action by Examiner Tuyen Tra of Jan. 7, 2005, mailed Jan. 25, 2005.

I. General Remarks

The instant application is a manufacturing invention. The cited Rabinowitz and Davidson patent is not a manufacturing invention and does not discuss any manufacturing process. Neither it nor any of the issued Rabinowitz and Davidson, and Davidson and Rabinowitz patents deal with any making, manufacturing, or fabricating processes, steps, or stages.

The claims have been amended to clearly and completely emphase this point and make a clear-cut distinction from the prior art. The presently amended claims are labeled as "currentlly amended." The "previously amended" claims are so labled to distinguish them from the original unamended claims. We feel that our unique invention is neither obvious, nor anticipated by the prior art.

II. Specific Responses to Points Raised in Office Action Mailed Oct. 18, 2004

The subject numbers used here correspond to those of Examiner Tra's Action. We quote his relevant statements and give our replies.

1. "... new ground(s) of rejection"

Applicants are glad that Examiner Tra agrees that the previously cited prior art does not anticipate our invention.

2. Quotation of 35 U.S.C. 102 (b & e): Prior Publication.

3. "Claims 1, 3-5, 7-10 and 12-23 are rejected under 35 U.S.C. 102 (e) as being anticipated by Rabinowitz and Davidson (U.S. Pat. 6,738,176)."

Applicants respectfully disagree. Rabinowitz et al. does not anticipate these claims for many reasons. The main reason is that U.S. Pat. 6,738,176 does not deal with any production, making, manufacturing, or fabricating processes, steps, or stages

a) "... switching ensemble ... for concentrating solar energy ..."

Applicants respectfully disagree. The Rabinowitz et al. patent does not anywhere have the words "solar," "sun," "solar energy," "sun energy" or any similar concept. It is an optical switch patent that does not teach or claim anything about solar energy. Nor does it teach or claim anything about a manufacturing or production process.

b) "With respect to claims 3,4,7,8, Rabinowitz et al. further discloses wherein fluid is a lubricant or dielectric fluid."

Although a dielectric lubricant fluid is mentioned as being used in Rabinowitz et al., it does not teach a manufacturing process using such a fluid as in the instant invention.

c) "... these steps would be inherently satisfied by the apparatus of the reference '176 as modified."

We respectfully disagree. The reference patent 6,738,176 cannot satisfy the steps of the "method claims" of the instant invention since these steps refer to a manufacturing process, and the reference patent 6,738,176 has nothing to do with manufacturing.

d) "With respect to claim 10, Rabinowitz et al. further discloses wherein at least one tray holds the mirrored balls in place in the sheet during its formation."

Neither the word "tray" nor any similar concept occurs in Rabinowitz et al. Furthermore, Rabinowitz et al. does not contain the word "formation" nor any related concept since formation, production, etc. are not part of this reference.

e) "With respect to claims 14, 17, and 18, Rabinowitz et al. further discloses ... wherein at least one of the infiltrating fluids is vaporously removed; wherein the ratio of the volume of the material of the sheet (5) to the volume of the mirrored balls is greater than a factor of 2."

Neither the words nor the concept of an "infiltrating fluid" occur anywhere in Rabinowitz et al. because it is not concerned with any manufacturing process. This is a step in the manufacturing process of the instant invention.

Neither the words or concept "vapor" or "vaporously removed" occur anywhere in Rabinowitz et al. because it is not concerned with any manufacturing process. This is a step in the manufacturing process of the instant invention.

Neither the word or concept "volume" or "volume ratio" occur anywhere in Rabinowitz et al. because it is not concerned with any manufacturing process. Determining the volume ratio is a design step in the manufacturing process of the instant invention.

f) "With respect to claims 20 -23, Rabinowitz et al. further discloses wherein a random dispersion of rotatable mirrored balls (item 2) are

encapsulated in the sheet; wherein the mirrored balls (2) are precoated prior to being embedded in the sheet (5); herein the mirrored balls are asymmetrically closer to the top of the sheet (5) than to the bottom; wherein the sheet is constructed of laminar film."

Applicants strongly disagree for two reasons. First these are manufacturing steps of the instant invention that are not in Rabinowitz et al. because no manufacturing is described there. Second the words or the concepts "encapsulated," "precoated prior to being embedded," "asymmetrically closer to the top than to the bottom," "laminar" and "film" DO NOT OCCUR anywhere in the Rabinowitz et al. patent.

4. "Claims 11 and 24 ... would be allowable"

We thank Examiner Tra for indicating that claims 11 and 24 would be allowable. We have previously amended and are currently further amending the base claims 1, 5, and 9, to further distinguish between our invention and the cited references. Therefore we think that claims 11 and 24 are presently allowable.

III. Amendment of Claims

Applicants have amended claims to further distinguish them from the cited references in accord with Examiner Tra's findings, and in keeping with their consciences as explained in the above responses to the Office Action. Two claims, namely Claims 2 and 6 are cancelled.

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